

VZCZCXRO1295

OO RUEHBI RUEHCI RUEHLL RUEHPW

DE RUEHNE #0026 0071241

ZNY SSSSS ZZH

O 071241Z JAN 09

FM AMEMBASSY NEW DELHI

TO RUEHC/SECSTATE WASHDC IMMEDIATE 4944

INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE

RUEHDM/AMEMBASSY DAMASCUS 0267

RUEIDN/DNI WASHINGTON DC

RUEAIIA/CIA WASHDC

RUETIAA/NSACSS FT GEORGE G MEADE MD

RUEKJCS/Joint STAFF WASHDC

RHEHNSC/NSC WASHDC

RUEKJCS/SECDEF WASHDC

RUEHUNV/USMISSION UNVIE VIENNA 1710

S E C R E T NEW DELHI 000026

SENSITIVE

SIPDIS

DEPARTMENT FOR ISN

E.O. 12958: DECL: 12/23/2033

TAGS: PARM ETTC SY IN PREL

SUBJECT: SHIELD SO4B-08: INDIA AWARE OF SYRIAN ATTEMPT TO ACQUIRE CW EQUIPMENT

REF: SECSTATE 135048

Classified By: Political Counselor Ted Osius for Reasons 1.4 (B and D)

¶1. (S) Ministry of External Affairs (MEA) Director for Disarmament and International Security Affairs (DISA) Gaddam Dharmendra told Poloff January 6 in response to reftel demarche that the appropriate Indian agencies were aware of reports that Syria was attempting to acquire dual-use chemical weapons equipment through two Indian companies. Dharmendra said that the two Indian firms, Goel Scientific Glass Works and Garg Scientific Glass Industries, had not yet applied for export licenses. Until they did, the issue remained an intelligence matter and MEA would not be in a position to approach the companies. Nevertheless, Dharmendra confirmed that MEA was "doing its homework" about its legal authorities to respond, and that in the mean time, "Your agencies are in touch with our agencies."

¶2. (S) Dharmendra acknowledged India's obligations under the Chemical Weapons Convention (CWC), but shared that the situation was complicated by the fact that the Syrian Scientific Research Council (SSRC) was a government entity and that Syria was not a CWC signatory. He said the equipment sought was dual-use and that he did not yet know whether Syria had procured end use certificates. Dharmendra suggested that MEA would find it helpful to receive further background information about SSRC. If Syria were to secure end use certificates for the equipment, information suggesting the likelihood of diversion would strengthen India's case for preventing such a transfer to a sovereign entity. (Comment: It is possible that information that may have been shared with other Indian agencies about SSRC has not reached MEA.) Dharmendra also observed that the Iran, North Korea, Syria Nonproliferation Act was U.S. law and that the CWC applied to signatories, but he asked whether Syria -- as a non-signatory of the CWC -- had any obligations regarding chemical weapons, for instance, through UN resolutions, that India could invoke.

¶3. (S) COMMENT: Dharmendra was clear that India's intelligence agencies were aware of the issue and that MEA did not yet have a formal role to play. For the moment, he seemed to be thinking in terms of diplomatic means of dissuading Syria from seeking the equipment rather than directly preventing the companies from providing it. However, he allowed that MEA could become involved directly with the companies once MEA received a license request. He shared that in previous such cases, companies generally

responded favorably to MEA's efforts to quietly warn them away from such transactions. END COMMENT.

MULFORD